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**SEP 30 2009**

In re Application of

Kushmaro, et al.

**OFFICE OF PETITIONS**

Application No. 10/527,076

**DECISION ON PETITION**

Filed: January 23, 2006

Attorney Docket No. **KUSHMARO1**

This is a decision on the petition under 37 CFR 1.137(b), filed August 20, 2009, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to file a timely response to the non-final Office action mailed February 9, 2009. The non-final Office action set a shortened statutory period for reply of three months from its mailing date. No response was received within the allowable period and the application became abandoned on May 10, 2009. A Notice of Abandonment was mailed on August 14, 2009.

The continuing application accorded application serial number 12/537,646, filed August 7, 2009, is noted. With continuity having been established, the subject application is again abandoned in favor of the continuing application.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3222.

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Office of Petitions